



United States Courts for the Ninth Circuit

Public Information Office

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Editor's Note: Media coverage of the conference is welcome. All general sessions are open to the media. Advanced media registration will be required. To register, contact the Public Information Office at the number above.

NEWS RELEASE

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Ninth Circuit Judicial Conference to Focus on Human Rights, Race, Diversity

MONTEREY – Human rights at home and abroad is the focus of the 2004 Ninth Circuit Judicial Conference, which will be held July 19-22, 2004, at the Monterey Convention Center in Monterey, Calif. The annual event brings together judges and lawyers practicing in the federal courts of the western United States.

The theme of the conference is “Human Rights and Human Wrongs – Then and Now, At Home and Abroad.” The program includes a 50th anniversary commemoration of *Brown v. Board of Education*, the historic U.S. Supreme Court decision leading to desegregation of the nation’s public schools. Also planned are panel presentations on the race and diversity in education today; international law; and the use of alternative methods to resolve major human rights cases. A distinguished roster of speakers and presenters has been recruited from academia, government and the law.

Topics to be covered during the General Sessions include:

- ***Brown v. Board of Education: History Told By Those Who Made It***
(Tuesday, July 20, 8:30 a.m.)

Fifty years ago, they helped crack the color barrier in the nation’s schools. Now Senior Judges Robert L. Carter, Louis H. Pollak and Jack B. Weinstein along with noted law professor Jack Greenberg, are forever associated with one of the

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Office of the Circuit Executive

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most important legal victories in the civil rights movement. As young lawyers working with the NAACP, they were part of the brain trust assembled by Thurgood Marshall to brief and argue *Brown v. Board of Education*, the landmark U.S. Supreme Court case that struck down school segregation. Look back at this historic case through their eyes in this 90-minute panel discussion, which opens the first General Session. Moderated by Harvard law professor and civil rights historian Charles Ogletree Jr., the session also features opening remarks by Professor Dennis J. Hutchinson, senior lecturer in law and William Rainey Harper Professor at the University of Chicago.

- **The Aftermath of *Brown* – Contemporary Problems in Education Relating to Race and Diversity (Tuesday, July 20, 10:30 a.m.)**

Brown remains the hallmark of the promise of equality for our nation. Has the promise been fulfilled? In “The Aftermath of *Brown*,” part two of the first General Session, a panel of experts looks at public education 50 years after and considers just how much progress has been made in overcoming racism. Panelists include Harvard law professors Lani Guinier, the first African-American woman to receive a tenured professorship at Harvard; Christopher Edley, Jr., Dean of the University of California's Boalt Hall School of Law; Dr. Mahzarin R. Banaji, a professor of psychology at Harvard who studies systems of human thinking in the implicit or unconscious mode, and how those apply to subconscious attitudes; Michele Barraza Lawrence, superintendent of the Berkeley (California) Unified School District and a 30-year veteran of California's public schools; and Glenn C. Loury, a noted economist who is an advisor on social issues to business and political leaders throughout the country.

- **Bench Bar Breakfast: *Brown v. Board of Education*: Has the Promise Been Fulfilled? (Wednesday, July 21, 7:30 a.m.)**

Members of the bench and bar will have the opportunity to react to the previous day's discussion about the aftermath of the *Brown* decision. Has the promise been fulfilled? How did we get from *Brown* to where we are today? The keynote speaker will be Charles Ogletree, Jr., Esq., Harvard Law School.

Following the discussion, the conference will hear remarks by Deputy Attorney General James B. Comey, United States Department of Justice.

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- **Complementary or Contradictory? International Law in the U.S. Courts**
(Wednesday, July 21, 9:45 a.m.)

The second General Session opens with a look at how national courts are increasingly becoming involved in global issues. A panel of legal experts will discuss how the Alien Tort Statute of 1789, which laid dormant for two centuries, has recently been rediscovered and used to bring multi-million-dollar lawsuits against multinational corporations and foreign nationals, alleging human rights and environmental violations. What impacts will transnational justice have on the constitutional interpretation of international law in federal courts? Moderated by Circuit Judge M. Margaret McKeown, the panel discussion includes Judge J. Harvie Wilkinson III of the U.S. Court of Appeals, Fourth Circuit; Viet Dinh, Esq., Georgetown University Law Center; Harold Hongju Koh, Dean, Yale Law School; and Ernest A. Young, Esq., University of Texas School of Law.

- **Race and Reconciliation: The Potential for Innovative Remedies to Resolve Major National and International Human Rights Controversies (Wednesday, July 21, 11:15 a.m.)**

The General Session continues with “Race and Reconciliation,” a panel discussion of how the search for alternative remedies to serious human rights abuses has resulted in such creative solutions as South Africa’s Truth and Reconciliation Commissions, Holocaust reparations, and naming a special master to resolve high-profile police brutality and racial profiling cases. Moderated by Bill Lann Lee, Esq., former assistant attorney general for civil rights in the Clinton administration, the discussion features panelists Saul Green, Esq., Special Monitor; Gay J. McDougall, Esq., Executive Director, Global Rights; Burt Neuborne, Esq., New York University School of Law; and Naomi Roht-Arriaza, Esq., University of California, Hastings College of the Law.

- **Separating Science Fact from Science Fiction: When the Legal and Scientific Worlds Collide**
(Thursday, July 22, 8:30 a.m.)

The final General Session opens with an impressive panel of scientists and researchers who will try to shed light on balancing the uncertainties of science with the need to understand the ethics and practical aspects of scientific information. Do scientists see the legal process as distorting what they do in the

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search for truth? Moderated by Donald Kennedy, Ph.D., President Emeritus, Stanford University, the discussion features panelists Steve Chu, Ph.D., Professor of Physics and Applied Physics, Stanford University; David Faigman, Esq., University of California, Hastings College of the Law; Marcia McNutt, Ph.D., President & CEO, Monterey Bay Aquarium Research Institute; Channing Robertson, Ph.D., Professor of Chemical Engineering, Stanford University.

- **Everything You Always Wanted to Know About Sleep (But Were Too Tired to Ask) (Thursday, July 22, 10:15 a.m.)**

Dr. William C. Dement, M.D., Ph.D., Stanford University, a pioneer in sleep medicine explores the vital connection between health, happiness, and a good night's sleep.

- **Conversation with Justice Sandra Day O'Connor (Thursday, July 22, 11:45 a.m)**

The first woman to serve on the United States Supreme Court will share her views with Judge Raymond C. Fisher, U.S. Court of Appeals, Ninth Circuit; John McKay, U.S. Attorney, Western District of Washington; and Ana Maria Merico-Stephens, Esq., University of Arizona James E. Rogers College of Law.

The 2004 conference is being organized by a Conference Executive Committee chaired by Ninth Circuit Judge Raymond C. Fisher of Pasadena. Chief District Judge David F. Levi of Sacramento and attorney Alan Schulman of San Diego co-chair a subcommittee responsible for the conference program. Chief Circuit Judge Mary M. Schroeder will preside over the opening session and participate in other parts of the conference.

The Ninth Circuit Judicial Conference meet pursuant to Section 333 of Title 28 of the United States Code for "the purpose of considering the business of the courts and advising means of improving the administration of justice within such circuit."

The United States Courts for the Ninth Circuit consists of the Ninth Circuit Court of Appeals, and the district and bankruptcy courts and related court units for the Districts of Alaska, Arizona, Northern California, Central California, Eastern California, Southern California, Hawaii, Idaho, Montana, Nevada, Oregon, Eastern Washington, Western Washington, the U.S. Territory of Guam and the Commonwealth of the Northern Mariana Islands.

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